

PATENT APPLICATION
Docket No. 2705-126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David R. Oran

Serial No. 09/745,387

Examiner: Gregory B. Sefcheck

Confirmation No. 1119

Filed: December 21, 2000

Group Art Unit: 2662

For: User Controlled Audio Quality for Voice Over IP Telephony Systems

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION TO OVERCOME A CITED PUBLICATION (37 C.F.R. 1.131)

1. The person making this declaration is David R. Oran, inventor of the above-referenced patent application ("Application").

2. Certain claims of U.S. Patent Application Ser. No. 09/745,387 are currently rejected in view of certain prior art, *inter alia*, under 35 USC §103(a) in view of U.S. Pat. Publication No. US 2002/0015395 A1 (Karagiannis). Karagiannis has a filing date in the United States ("Effective Date") of July 31, 2000.

3. Conception of the invention that is the subject of the claims in the present application occurred prior to the Effective Date of Karagiannis as evidenced by the attached Invention Disclosure document (Exhibit A) submitted internally at Cisco before July 31, 2000.

4. Work on the invention was conducted continuously from a date prior to the Effective Date, until the date of filing of the above referenced patent application, and thereafter.

I hereby declare that all statements made herein of my own knowledge true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


David R. ORAN

Dated: June 17, 2005

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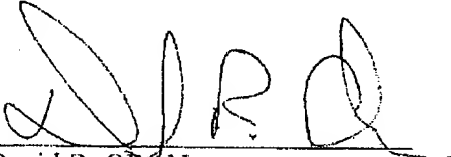
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2. Certain claims of U.S. Patent Application Ser. No. 09/745,387 are currently rejected in view of certain prior art, *inter alia*, under 35 USC §103(a) in view of U.S. Pat. 6,675,340 B1 (Hardie). Hardie has a filing date in the United States ("Effective Date") of October 19, 2000.
3. Conception of the invention that is the subject of the claims in the present application occurred prior to the Effective Date of Hardie as evidenced by the attached Invention Disclosure document (Exhibit A) submitted internally at Cisco before October 19, 2000.
4. Work on the invention was conducted continuously from a date prior to the Effective Date, until the date of filing of the above referenced patent application, and thereafter.

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